

WILMER CUTLER PICKERING  
HALE AND DORR LLP  
SONAL N. MEHTA (SBN 222086)  
Sonal.Mehta@wilmerhale.com  
950 Page Mill Road  
Palo Alto, California 94304  
Telephone: (650) 858-6000  
Facsimile: (650) 858-6100

OMAR A. KHAN (*pro hac vice*)  
Omar.Khan@wilmerhale.com  
7 World Trade Center  
250 Greenwich Street  
New York, New York 10007  
Telephone: (212) 230-8800  
Facsimile: (212) 230 8888

JOSEPH TAYLOR GOOCH (SBN 294282)  
Taylor.Gooch@wilmerhale.com  
JOSHUA D. FURMAN (SBN 312641)  
Josh.Furman@wilmerhale.com  
One Front Street, Suite 3500  
San Francisco, California 94111  
Telephone: (628) 235-1002  
Facsimile: (628) 235-1001

Attorneys for Defendant  
*IONpath, Inc.*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

FLUIDIGM CORPORATION, A  
DELAWARE CORPORATION; AND  
FLUIDIGM CANADA INC., A FOREIGN  
CORPORATION,

Plaintiffs,

v.

IONPATH, INC., A DELAWARE  
CORPORATION,

Defendant.

Case No. 3:19-cv-05639-WHA

**FURMAN DECLARATION IN SUPPORT  
OF JOINT STATEMENT AND  
[PROPOSED] ORDER REGARDING  
DISCOVERY MOTION EXPENSES AND  
FEES PER ECF NO. 101**

1. I am an attorney with the law firm of Wilmer Cutler Pickering Hale and Dorr LLP, counsel for IONpath, Inc. I have personal knowledge of the information set forth herein, and I could and would competently testify thereto if called as a witness.

2. Defendant filed a Letter for Discovery Relief regarding Plaintiff's response to Defendant's Interrogatory No. 8 on June 11, 2020 (Dkt. No. 88; refiled as Dkt. No. 105-1 pursuant Dkt. 102).

3. The Court heard the matter on June 18, 2020 (Dkt. 98), wherein the Court granted the relief requested by Plaintiff.

4. The Court's Minute Order on June 18, 2020 stated "Plaintiff shall be responsible for fees, accrued by defense, associated with this proceeding" (Dkt. 98).

5. The Court's Order awarded to Defendant "its reasonable expenses incurred in making the motion, including attorneys' fees" (Dkt. 101).

6. The Court's Order directed the parties to meet and confer to reach agreement, and to submit a joint statement for an entry of reasonable expenses, including attorneys' fees (Dkt. 101).

7. Defendant has provided to Plaintiff an accounting of its reasonable expenses including attorneys' fees. Defendant did not include all fees and expenses associated with the motion in its accounting but requested reimbursement totaling \$17,836. Specifically, Defendant sought reimbursement for the following timekeepers: Josh Furman, Sonal N. Mehta, and Erik Marshall. I, Josh Furman, am an associate attorney on this matter, and was primarily responsible for the research, briefing, and oral argument of this discovery dispute. I accounted for 15.4 hours related to this matter. Ms. Mehta is lead counsel on this matter. Ms. Mehta directed and supervised research and drafting of the motion and preparation for oral argument, which she also attended; her time accounted for 4 hours. Erik Marshall is a paralegal, and was primarily responsible for research, coordination, and the filing of this discovery letter. Mr. Marshall accounted for 6.7 hours related to this matter.

FURMAN DECLARATION IN SUPPORT OF STIPULATION